

REMARKS

Claims 1, 6, 16, and 24 are amended and claim 5 is canceled herein. Claims 28-37 were previously withdrawn from consideration.

Claim 1 has been amended to include the limitations of dependent claim 5, which was objected to as being dependent upon a rejected base claim.

Accordingly, claim 1 is believed to be in proper form for allowance.

Claims 2-4 and 6-15, depending either directly or indirectly from claim 1, are submitted as patentable for at least the same reasons as claim 1.

Claims 16 and 24 have also been amended to include the limitations of claim 5.

Accordingly, claims 16 and 24, and claims 17-23 and 25-27 depending from claims 16 and 24 respectively, are submitted as patentable.

For the foregoing reasons, Applicants believe that all of the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 399-5608.

Respectfully submitted,



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Claim 7 (original): The system of claim 1 wherein the optical device and reflective surface are arranged such that an eye of the user acts as a retro-reflector upon receiving light reflected from the reflective surface.

Claim 8 (original): The system of claim 1 wherein the frame is an eyeglass frame.

Claim 9 (original): The system of claim 8 wherein the sensor and the light source are mounted on a side member of the frame.

Claim 10 (original): The system of claim 1 wherein the frame is a helmet configured to be worn by the user and the eyepiece comprises a visor of the helmet.

Claim 11 (original): The system of claim 1 wherein the sensor is positioned on the frame such that it is substantially unobtrusive to the user's field of view when the frame is mounted on the user.

Claim 12 (original): The system of claim 1 further comprising a processor operable to convert an output signal received from the sensor into a signal identifying whether the eye is in an open or closed position.

Claim 13 (original): The system of claim 1 further comprising an alarm configured for activation upon a predetermined eyelid movement condition.

Claim 14 (original): The system of claim 13 wherein the eyelid movement condition is duration of eyelid closure.

Claim 15 (original): The system of claim 1 wherein the reflective surface is concave.

Claim 16 (currently amended): A system for monitoring eye movement through optical observation of the eye, the system comprising:
a frame configured to be worn on a user;

a light source;

at least one eyepiece connected to the frame, the eyepiece having a reflective surface formed by a coating on the eyepiece~~hot mirror surface~~ and configured for reflecting light emitted from the light source onto the eye; and

a sensor operable to detect light reflected by the ~~hot mirror~~ reflective surface to detect whether the eye is in an open or closed position.

Claim 17 (original): The system of claim 16 wherein the optical device further comprises a beamsplitter configured for transmitting light onto the hot mirror surface.

Claim 18 (original): The system of claim 16 wherein the optical device and reflective surface are arranged such that an eye of the user operates as a retro-reflector upon receiving light reflected from the reflective surface.

Claim 19 (original): The system of claim 16 wherein the light source is an infrared light emitting diode.

Claim 20 (original): The system of claim 16 wherein the frame is an eyeglass frame.

Claim 21 (original): The system of claim 20 wherein the sensor and the light source are mounted on a side member of the frame.

Claim 22 (original): The system of claim 16 wherein the frame is a helmet and the eyepiece is a visor.

Claim 23 (original): The system of claim 16 further comprising a processor operable to convert an output signal received from the sensor into a signal identifying whether the eye is in an open or closed position.

Claim 24 (currently amended): A system for tracking eye movement through optical observation of the eye, the system comprising:

a frame configured to be worn on a user;

a light source;

at least one eyepiece connected to the frame, the eyepiece having a reflective surface formed by a coating on the eyepiece ~~forming a hot mirror~~, the reflective surface of the eyepiece configured for reflecting light emitted from the light source onto the eye; and

a camera mounted on the frame for monitoring movement of the eye when the frame is mounted on the user to sense a direction of gaze of the user's eye.

Claim 25 (original): The system of claim 24 wherein the camera comprises a CCD.

Claim 26 (original): The system of claim 24 wherein the light source is operable to generate infrared light.

Claim 27 (original): The system of claim 24 wherein the optical device and the reflective surface are arranged such that an eye of the user acts as a retro-reflector upon receiving light reflected from the reflective surface.

Claim 28 (withdrawn): A method for detecting eye closure through optical observation of the eye, the method comprising:

positioning an optical system on a user, the system comprising a reflective surface, a light source, and a sensor;
emitting light onto the reflective surface;
reflecting light from the reflective surface towards an eye of the user;
receiving light reflected from the eye operating as a retro-reflector at the sensor;
and
detecting at the sensor whether the eye is in an open or close position.

Claim 29 (withdrawn): The method of claim 28 further comprising sending data generated by the sensor to an alarm.

Claim 30 (withdrawn): The method of claim 29 further comprising initiating the alarm if the sensor detects eye closure for a predetermined period of time.

Claim 31 (withdrawn): The method of claim 29 further comprising initiating the alarm if the sensor detects a predetermined number of eye closures within a specified period of time.

Claim 32 (withdrawn): The method of claim 28 wherein the reflective surface is a hot mirror.

Claim 33 (withdrawn): The method of claim 28 further comprising tracking gaze of one of the user's eye.

Claim 34 (withdrawn): The method of claim 28 further comprising sending data generated by the sensor to an electronic controller.

Claim 35 (withdrawn): The method of claim 34 further comprising processing said data received at the sensor before sending said data to the electronic controller.

Claim 36 (withdrawn): The method of claim 34 wherein the electronic controller is a computer input device.

Claim 37 (withdrawn): The method of claim 28 further comprising sending data from the sensor to a communication device.